

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35099

STATE OF IDAHO,)	2009 Unpublished Opinion No. 597
)	
Plaintiff-Respondent,)	Filed: September 1, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
RICKY ARNELL WARD,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Cheri C. Copsey, District Judge.

Judgment of conviction and consecutive determinate sentences of five years each on Count I (threats against state official), Count II (intimidating a witness), Count III (threats against state official), Count VII (misappropriation of personal identifying information) and VIII (intimidating a witness), and seven and one-half years on Count V (attempted solicitation of an act of terrorism), affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Ricky Arnell Ward pled guilty to Counts I and III threats against state official, Idaho Code § 18-1353A; Counts II and VIII intimidating a witness, Idaho Code § 18-1604(4); Count V attempted solicitation of an act of terrorism, Idaho Code §§ 18-2001, 18-8102 18-8103(4), 18-306; Count VII misappropriation of personal identifying information, Idaho Code § 18-3126. The district court sentenced Ward to determinate terms of five years each on Counts I, II, III, VII and VIII, and a determinate term of seven and one-half years on Count V, each sentence on each

count to run consecutively. Ward appeals asserting that the district court abused its discretion in sentencing when it imposed an aggregate sentence of thirty-two and one-half years determinate.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Ward's judgment of conviction and sentences are affirmed.